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**FAX TRANSMISSION****DATE:** May 4, 2007**PTO IDENTIFIER:** Application Number 10/691,269-Conf. #8614  
Patent Number**Inventor:** Jack D. Anderson**MESSAGE TO:** US Patent and Trademark Office**FAX NUMBER:** (571) 273-8300**FROM:** EDWARDS ANGELL PALMER & DODGE LLP

Colleen McKiernan

**PHONE:** (617) 439-4444**Attorney Dkt. #:** 2242(225436)**PAGES (Including Cover Sheet):** 12

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Information Disclosure Statement (2 pages)  
IDS (Citation) by Applicant (1 References) (1 page)

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EDWARDS ANGELL PALMER & DODGE LLP  
P.O. Box 55874, Boston, Massachusetts 02205  
Telephone: (617) 439-4444 Facsimile: (617) 439-4170

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PTO/SB/97 (09-04)

Approved for use through 07/31/2006, OMB 0651-0031

U. S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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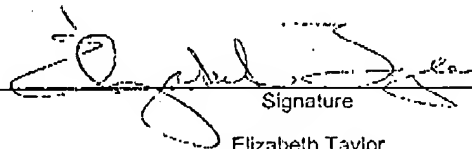
Application No. (if known): 10/691,269

Attorney Docket No.: 2242(225436)

**Certificate of Transmission under 37 CFR 1.8**

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on May 4, 2007  
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Fee Transmittal (1 page)  
One Month Request for Extension of Time Under 37 CFR 1.136(a) (2 pages) – plus copy (2 pages)  
Response to Office Communication (2 pages)  
Information Disclosure Statement (2 pages)  
IDS (Citation) by Applicant (1 References) (1 page)

PTO/SB/17 (02-07)

Approved for use through 02/28/2007. OMB 0651-0032  
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Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4618). <b>FEE TRANSMITTAL</b> <b>For FY 2007</b>		<b>Complete if Known</b> Application Number: 10/691,269-Conf. #8614 Filing Date: October 22, 2003 First Named Inventor: Jack D. Anderson Examiner Name: J. Riley Art Unit: 1637 Attorney Docket No: 2242(225436)	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		RECEIVED CENTRAL FAX CENTER MAY 4 2007	
<b>TOTAL AMOUNT OF PAYMENT</b> (\$) 60.00			

**METHOD OF PAYMENT** (check all that apply)

<input type="checkbox"/> Check	<input type="checkbox"/> Credit Card	<input type="checkbox"/> Money Order	<input type="checkbox"/> None	<input type="checkbox"/> Other (please identify):
<input checked="" type="checkbox"/> Deposit Account Deposit Account Number: 04-1105 Deposit Account Name: Stratagene California				
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)				
<input checked="" type="checkbox"/> Charge fee(s) indicated below		<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee		
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17		<input checked="" type="checkbox"/> Credit any overpayments		

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

<b>Total Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>	<b>Multiple Dependent Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
_____ - 20 = _____	x _____	= _____				
IIP = highest number of total claims paid for, if greater than 20.						
<b>Indep. Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>			
_____ - 3 = _____	x _____	= _____				
IIP = highest number of independent claims paid for, if greater than 3.						

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____ - 100 = _____	/50	(round up to a whole number) x _____	= _____	

**4. OTHER FEE(S)**

	Fees Paid (\$)
Non-English Specification, \$130 fee (no small entity discount)	
Other (e.g., late filing surcharge): 2251 Extension for response within first month	60.00

**SUBMITTED BY**

Signature: <i>Kathleen Williams</i>	Registration No. (Attorney/Agent): 34,380	Telephone: (617) 439-4444
Name (Print/Type): Kathleen Williams	Date: May 4, 2007	

BOS111 12153289.1

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Docket No.: 2242(225436)  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Jack D. Anderson

Application No.: 10/691,269

Confirmation No.: 8614

Filed: October 22, 2003

Art Unit: 1637

For: MODIFIED NUCLEOTIDES AND METHODS  
OF LABELING NUCLEIC ACIDS

Examiner: J. Riley

**RESPONSE TO OFFICE COMMUNICATION**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Communication regarding incomplete response to restriction requirement set forth in the notice mailed March 5, 2007, applicant hereby provisionally further elects phosphonomethoxyethyl (PME) as the acyclic sugar of claim 28, for continued examination, with traverse.

In communication, the Examiner has required an election of an acyclic sugar from claim 28.

In the present case, although the claimed subject matter may be classified in different classes, a search of multiple sugar groups does not necessarily constitute an undue burden.

607200

Application No.: 10/691,269

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Docket No.: 2242(225436)

Applicant believes that the response to the restriction requirement is not proper and complete, and respectfully requests reconsideration of the restriction requirement and rejoinder of the claims. .

Dated: May 4, 2007

Respectfully submitted,

for By *Kathleen Williams* 48,570  
Kathleen Williams  
Registration No.: 34,380  
EDWARDS ANGELL PALMER & DODGE  
LLP  
P.O. Box 55874  
Boston, Massachusetts 02205  
(617) 439-4444  
Attorneys/Agents For Applicant